

**SPENCER CITY COUNCIL MEETING  
June 3, 2019  
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 3<sup>rd</sup> day of June, 2019, at 6:30 o'clock P.M., in regular session in the Council Chambers, City Hall, Spencer, Iowa, pursuant to law, to adjournment and to the rules of said Council.

The meeting was called to order by Mayor Kevin Robinson, in the Chair and the roll being called, the following Council Members were present:

Present: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
Absent: Nelson, Prentice

It was moved by Council Member Jacobsen, seconded by Council Member Moriarty to approve items on the consent agenda, as follows:

Approve Minutes of May 20, 2019;

Approve Class C Beer Permit and Sunday Sales for **Hy-Vee Gas**; Class E Liquor, Class B Native Wine, Class C Beer and Sunday Sales for **Casey's #2902 at 411 W. 18<sup>th</sup> Street**; Class E Liquor, Class B Native Wine, Class C Beer and Sunday Sales for **Casey's #2877 at 805 S. Grand** and Class C Liquor with Sunday Sales and Outdoor Service for **Clay County Fair Association**, all subject to final approval by Iowa Alcoholic Beverages Division;

Approve Purchase of Flex Wing Mower for the Street Division, from Schulte Industries, Utilizing the Sourcewell Contract Pricing for \$19255.32, less \$1200 Trade-In for the Street Division (CIP Item);

**RESOLUTION NO. 5939 RESOLUTION TO PROVIDE FOR A NOTICE OF HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE 2019 SANITARY SEWER REHABILITATION PROJECT, AND THE TAKING OF BIDS THEREFOR (Hearing Date, June 17, 2019, 6:30 PM; Letting Date June 20, 2019, 3:00 PM)**

**RESOLUTION NO. 5938 RESOLUTION AUTHORIZING AND DIRECTING THE TEMPORARY CLOSING OF PORTIONS OF CITY STREETS IN THE CITY OF SPENCER, IOWA FOR THE 2019 FLAGFEST CELEBRATION**

The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS: None

Whereupon, the Mayor declared the motion carried.

The Mayor announced this was the time and place set for hearing on Proposed Plans and Specifications, Form of Contract and Estimate of Cost for the 2019 City Hall Renovation Project;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Orrison introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Bomgaars; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS: None

Whereupon, the Mayor declared the motion duly carried and said Resolution adopted, as follows:

**RESOLUTION NO. 5939 FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE 2019 CITY HALL RENOVATION PROJECT**

The bids for the 2019 City Hall Renovation Project were reviewed with Cannon, Moss, Brygger Associates. Bids were reviewed May 30, 2019.

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
Midstates Builders	\$1,895,000
Steffes Companies	\$2,031,190

Council Member Hanson introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Moriarty; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty

NAYS:           None

Whereupon, the Mayor declared the motion duly carried and said Resolution adopted, as follows:

**RESOLUTION NO. 5940 RESOLUTION AWARDING CONTRACT FOR 2019 CITY HALL RENOVATION PROJECT (Midstates Builders \$1,895,000)**

The Mayor announced this was the time and place set for hearing on Proposed Development Agreement with MWI Components L.L.C.;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Orrison introduced and caused to be read the following resolution, and moved its adoption, seconded by Council Member Jacobsen; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES:           Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:           None

Whereupon, the Mayor declared the motion duly carried and said Resolution adopted, as follows:

**RESOLUTION NO. 5941 RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH MWI COMPONENTS, L.L.C., AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT**

Council Member Bomgaars moved that the proposed ordinance entitled “AN ORDINANCE AMENDING TITLE 3, CHAPTER 2 OF THE SPENCER CITY CODE CONCERNING OUTDOOR SERVICE OF ALCOHOLIC BEVERAGES” as amended, Council Member Jacobsen seconded the motion. The Mayor put the question on the

motion and the roll being called, the vote thereon was as follows:

AYES : Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS : None

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on 2<sup>nd</sup> filing.

It was moved by Council Member Jacobsen, seconded by Council Member Bomgaars to Deny approval of Class C Liquor License for Southside Grill on the basis of 1) Evidence that the licensee has repeatedly served alcoholic beverages to persons under legal age. 2) Evidence that the licensee has served alcoholic beverages to intoxicated persons. 3) Evidence that female entertainers at the Southside Grill regularly violate Section 728.5 of the Iowa Code. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:None

The motion was declared carried.

Project Engineers, Kruse, Cate & Nelson reviewed the bids received on May 29, 2019 for the 2019 Class A Fire Training Facility Project:

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
American Fire Training Systems	\$369,214.45

Council Member Hanson introduced and caused to be read the following, and moved its adoption, seconded by Council Member Moriarty; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:None

Whereupon, the Mayor declared the motion duly carried and said Resolution No. 5942 adopted as follows:

**RESOLUTION NO. 5942 RESOLUTION AWARDDING CONTRACT FOR 2019 CLASS A FIRE TRAINING FACILITY PROJECT (American Fire Training Systems \$369,214.45)**

Project Engineers, Kruse, Cate & Nelson reviewed the bids received on May 22, 2019 for the 2019 Landfill Storage Building Project:

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
Quail Construction Spencer, Iowa	\$102,746.00
Graves Construction Co. Spencer, Iowa	\$114,952.82

Midstates Builders Spencer, Iowa	\$133,689.00
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Morton Buildings, Inc. Spencer, Iowa	\$143,822.00
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Council Member Orrison introduced and caused to be read the following, and moved its adoption, seconded by Council Member Bomgaars; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:None

Whereupon, the Mayor declared the motion duly carried and said Resolution No. 5943 adopted as follows:

**RESOLUTION NO. 5943 RESOLUTION AWARDING CONTRACT FOR 2019 LANDFILL STORAGE BUILDING PROJECT (Quail Construction \$102,746.00).**

Council Member Jacobsen introduced and caused to be read the following, and moved its adoption, seconded by Council Member Moriarty; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:None

Whereupon, the Mayor declared the motion duly carried and said Resolution No. 5944 adopted as follows:

**RESOLUTION NO. 5944 RESOLUTION APPROVING CONTRACT AND PERFORMANCE BOND FOR 2019 SEAL COAT PROJECT (Black Top Services \$55,060.20).**

Council Member Orrison introduced and caused to be read the following, and moved its adoption, seconded by Council Member Bomgaars; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS:None

Whereupon, the Mayor declared the motion duly carried and said Resolution No. 5945 adopted as follows:

**RESOLUTION NO. 5945 RESOLUTION ACCEPTING WORK FOR 2018 PCC PATCHING PROJECT.**

Council Member Bomgaars introduced and caused to be read the following, and moved its adoption, seconded by Council Member Jacobsen; and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being

called, the following named Council Members voted:

AYES: Orrison, Bomgaars, Jacobsen, Hanson, Moriarty  
NAYS: None

Whereupon, the Mayor declared the motion duly carried and said Resolution No. 5946 adopted as follows:

**RESOLUTION NO. 5946 RESOLUTION ACCEPTING WORK FOR 2018 INTAKE REPLACEMENT PROJECT.**

It was moved by Council Member Moriarty, seconded by Council Member Orrison to Approve Participation in WebsEdge/ICMAtv Production of Promotional Film for Spencer. The motion was declared carried when all Council Members present voted aye on voice call vote.

**Department Head Reports:**

Planning Department  
Library  
Police  
Public Works  
Parks & Recreation  
Golf Course  
City Attorney

**Engineer's Reports:**

**City Manager's Report:**

**Mayor's Report:**

**Council Committee Reports:**

Upcoming Meetings:

- June 10, 2019, Committee of the Whole Work Session, 5:30 P.M.
- June 17, 2019, Regular City Council Meeting, 6:30 P.M.

It was moved by Council Member Orrison, seconded by Council Member Moriarty to approve the Bills and Claims. The motion was declared carried when all Council Members present voted aye on voice call vote.

**Other Business/Opportunity to Address the Council:**

Chris Burg, owner of Southside Grill and Liberty Lanes

It was moved by Council Member Orrison and seconded by Council Member Jacobsen to adjourn the meeting of the Spencer City Council at 7:37 P.M. o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

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Kevin Robinson, Mayor

ATTEST:

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Theresa E. Reardon, City Clerk

(SEAL)

Minutes are subject to approval by the Spencer City Council.

<b>Claims June 3, 2019</b>		
<u>Vendor Sort Key</u>	<u>Description</u>	<u>Amount</u>
A & M Inc	laundry svce	112.29
AFLAC	may 2019 adj	-0.12
Advanced Door System	garage door repair	72.00
Airgas North Central	welding supplies	167.25
Allied 100 LLC	battery for pederson pk	358.20
American Business Phones	svce call - possible hacki	145.00
Animal Medical Center PC Hartley/	animal contro-may 2019	1,284.04
Arnold Motor Supply LLP	misc parts/supplies	23.49
BD Construction Services LLC	crushed concrete 4th ave w	3,890.38
Baker & Taylor	ya/childrens books	23.63
Bankers Trust	principal & interest pymts	665,135.14
Black Hills Energy	mo utility	309.94
Blacktop Service Company	asphalt/pay est #1	64,555.98
Bomgaars	dog collar	396.43
C & B Operations LLC	mower supplies	1,568.43
Canon Financial Services LLC	copier contract	172.46
Carl Zeiss Vision Inc	duhn safety glasses	274.66
Carroll Construction Supply	misc supplies	1,724.90
Clark Trucking	leachate hauling	3,300.00
Clay County Auditor	monthly jail payment	2,083.33
Clay County Regional Event Center	monthly contribution	3,333.33
Continental Research Corporation	creeper lube	262.14
Cooperative Energy Company	7001.- gal diesel #2	15,598.23
Cory Juergens Construction LLC	pay est #2 & 3 - final	27,684.42
Crescent Electric	sensor fo playground sec I	10.43
Culligan of Spencer	water	65.70
DeAnda Bean Walker & Detassellers	labor- pick litter	2,250.00
Department of Human Services	child support payments	649.84
Diamond Vogel Paint Center #	paint for containers	100.68

289		
Don Pierson Ford	vehicle bumper/svce call-rear door lock	2,043.56
Ecolab Pest Elimination	pest control 5/28/19	133.75
Employee Benefit Services	june mo chges	116,177.20
Engineering Design Associates Inc	library hvac study #1	2,734.46
F8 Creative	busi cds/letterhead/envelopes	1,394.75
Farmers Trust & Savings Bank	payroll taxes, acct analysis	43,330.90
Fastenal Company	misc parts/supplies	77.89
Fire Service Training Bureau	pump/aerial appar handbk	30.00
Fleetpride	misc parts/supplies	570.66
Fox International Inc / NCI	misc parts/supplies	2,993.83
Furniture Doctor	repair chair	75.00
Gale/Cengage Learning	lp books	305.89
Galens Pro Mow LLC	lawn mower/trimmer supplies/parts	224.62
Grab & Go Auto Salvage LLC	thermostat housing	8.47
Graettinger Hardware	rainsuit/gloves/chemicals	88.90
Graham Tire Center	tire rotation/repair	1,163.33
H & N Chevrolet-Buick	ty 17/18 ssmid refund	702.96
H & S Roofing Company Inc	repair term bldg roof	260.00
H & W Contracting LLC	pay est #2	282,805.50
HLW Engineering Group	water testing	1,275.00
Hansons Plumbing & Heating	furnace repair/ac maintenance	617.50
Harrison Truck Centers	brake valves u #26	432.77
Heller Enterprise LLC DBA Northwe	irrigation parts/supplies	573.84
Hintz, Jonathon W	inspector - reiser propert	750.00
Hodgin Mfg	mower repair	58.00
HueLife, LLC	executive coaching - mack	3,000.00
Hy-Vee Food Stores #1636	breakrm supplies	9.56
ICMA Retirement Trust - 457	icma	2,510.00
Iowa Public Employees Retirement	ipers/adj may 2019	20,922.71
Ingram Library Services	adult books	2,183.85
Insurance Associates	add new city hall bldg ins	1,428.00
Iowa Department of Transportation	computer thermal paper	29.16
Iowa Finance Authority	principal & interest	809,757.75
Iowa Lakes Community College	leadership classes 4/7	1,000.00
Iowa Lakes Electric Cooperative	mo utility	453.00
Iowa Law Enforcement Academy	prescott - academy	6,465.00



Iowa One Call	dec 18 - apr 19 one calls	36.00
Iowa Prison Industries	trail sign for iglt	477.18
Janitors Closet	misc paper/janitorial supplies	205.05
Johnston AutoStores	wire for trailer u #812	30.68
KAPCO Postal Pack & Ship	taser postage-axon enterpr	17.46
Kerr Holdings LLC	ty 17/18 ssmid p #96360738	122.93
Knight Protection Inc	computer lab camera instal	535.00
Koenig Portable Toilets	april portal rental	835.00
L & J Dream Builders	pay est #1 - reiser proper	28,199.00
Leading Edge Aviation	mo mgmt fees	3,104.17
Lube Tech	misc supplies	905.37
Maintainer Corporation of Iowa In	cable set #436	262.12
Mar-Lin Business Supply	index tabs	3.50
Marx Distribution Inc	aq ctr rivets for umbrella	58.30
Maxyeild Cooperative-Acct 4529	fuel	2,541.09
McDonald Supply Company Division	restrm repair parts	23.08
McKee Voorhees & Sease PLC	trademark for new logo	1,500.00
McNeilus Truck & Manufacturing Co	joystick u #809	942.93
Menards -Spencer	misc parts/supplies	516.18
Midwest Turf & Irrigation	pin roll slotted	16.26
Most Dependable Fountains	drinking fountain repairs	357.00
Municipal Fire & Police Retiremen	civil svce p/f	20,120.48
Napa Auto Parts	filters	324.50
Neid Equipment LLC	unlead eq generator	675.00
Nielsen's Tire & Appliances	tires/repairs	556.68
Northern Lights Distributing Inc	snacks	312.22
Northwest Iowa League of Cities	5/18 mtg moriarity/hanson	30.00
Northwest Iowa Planning & Develop	41 - crp training/cbdg admin/2018 hsg rehab	17,997.00
Payroll Expenses	5/21/2019 - 6/03/2019	213,519.68
People for Pets	monthly agreement	600.00
Peterbilt of Sioux City	turn signal switch u #806	219.76
Petty Cash - Library	ill postage	58.69
Petty Cash-Spencer Municipal Golf	replenish golf checkbk	2,592.42
Pixler Electric	svce call/electrical supplies	9,146.76
Plumbing & Heating Wholesale Inc	plumbing supplies	286.29
Pulltarps Manufacturing	asphalt pull tarp	404.32

Rent All Inc	aq ctr power washer rental	242.60
Schneider, Barb Workman -	ty 17/18 ssmid p #96361812	110.76
Share Corporation	cleaning supplies	151.95
Shine Brothers Inc	april 19 cardboard toll ch	8,480.00
Spencer Auto Parts	misc supplies/tools	120.42
Spencer Chamber of Commerce	1 pin flag sponsor 6/21 fu	100.00
Spencer Family YMCA	pymt # 1 pool concessions	20,620.00
Spencer Office Supplies	office supplies	93.81
Spencer Ready Mix	crushed concrete-stolleys	3,648.00
Spencer Trophy & Awards	id green plastic plate/name plates	175.50
Squire Promotional	hats/clothing apparel	939.36
State Hygienic Laboratory	2018 hsg rehab reiser prop	150.00
State Steel of Spencer	fence post holders	603.20
State of Iowa Treasurer	state withholding	8,752.00
Steffen Investments	ty 17/18 ssmid refunds	324.09
The Cartridge Connection Inc	com ctr laser cartridge	157.95
The Des Moines Register	june subscription	19.34
Tiger Pride Lawn Care	lawn care city hall 5/16/1	46.83
Turfwerks	parts	210.00
US Cellular	so/pd air cards	633.92
Van-Wall Equipment Inc	drive belt	163.32
Vans Sanitation Inc	april co mingle	357.40
Veolia Water North America	operations mgmt-june	69,155.74
Verizon Wireless	pole cameras	120.03
Visa (Admin)	misc credit card charges	5,297.98
Visa (Park)	misc credit card charges	715.20
Visa (Police)	misc credit card charges	1,657.09
White Glove Janitorial Services &	paper products	125.43
Wilkins Industries Inc	transfer trailer	84,794.50
Ziegler	eq generator serial #T3200/parts	140,367.01
Zimco Supply	grounds maintenance/misc supplies	463.50
	FUND TOTALS	
1	GENERAL FUND	285,598.04
20	PROPERTY INSURANCE	1,428.00
56	PARK RESERVE	9,753.00
61	ECONOMIC DEVELOPMENT	1,500.00
85	HOTEL/MOTEL TAX	3,333.33
112	FICA/IPERS	18,231.70
115	GROUP INSURANCE	116,177.20
118	POLICE PENSION	11,662.40

120	FIRE PENSION	3,118.36
162	SSMID	1,260.74
200	DEBT SERVICE	755,395.49
300	CAPITAL IMPROVEMENT	420,625.08
350	CAPITAL IMP RESERVE	2,734.46
600	ENTERPRISE CAPITAL IMPR	140,730.65
620	SANITARY SEWER	72,300.90
635	SEWER DEBT SINKING FUND	719,497.40
660	AIRPORT ENTERPRISE	4,227.99
670	SOLID WASTE	42,878.65
671	SOLID WASTE RESERVE	84,614.00
673	LANDFILL	25,970.38
682	ENVIRONMENTAL MANAGEMENT	69.92
690	REGIONAL COLLECTION CENTE	1,343.22
745	GOLF COURSE	18,729.68
949	CENTRAL GRAGE	1,690.22
950	FUEL EQUIPMENT	15,598.23
	GRAND TOTAL	2,758,469.04

<b>May 2019 Receipts</b>	Month to Date Revenue
001-GENERAL FUND	484,799.55
020-PROPERTY INSURANCE	10,771.05
040-CEMETERY RESERVE	1,723.51
041-RIVERSIDE COLUMARIUM	21.31
045-LIBRARY RESERVE	2,229.19
047-COMMUNICATION CENTER	90.27
049-DRUG EDUCATION	12.53
050-POLICE RESERVE	6,110.82
052-FIRE RESERVE	9,281.15
054-STR IMP RESERVE	31,989.25
055-SIDEWALK RESERVE	280.82
056-PARK RESERVE	11,618.32
059-TREES FOREVER	1.25
060-SRTS RESERVE	2,680.95
061-ECONOMIC DEVELOPMENT	37,214.28
062-SHINE LOAN	4,221.00
063-RENAISSANCE INITIATIV	2,148.93
064-CABLE TV	127.87
066-PUBLIC WORKS EQUIPMEN	13,572.37
068-CITY HALL RESERVE	2,709.38
070-STORM WATER DIST #1	2,065.27

080-STORM SEWER RESERVE	1,936.10
085-HOTEL/MOTEL TAX	511.07
087-SPENCER CARES	157.96
089-EMERGENCY FUND	1,268.31
090-QUALITY HSG INITIATIV	43.23
092-TECHNOLOGY FUND	2,687.58
093-ACCRUED BENEFITS	191.82
110-ROAD USE TAX	135,434.01
112-FICA/IPERS	41,527.19
113-WORK COMP	13,228.98
114-UNEMPLOYMENT	2,172.51
115-GROUP INSURANCE	103,579.10
117-CIVIL SERVICE	506.90
118-POLICE PENSION	19,322.74
119-POLICE SPECIAL PROCEE	41.37
120-FIRE PENSION	5,340.10
124-LOCAL OPTION SALES TA	187,757.88
125-T.I.F.	138,120.67
127-SALES TAX TIF	152.54
162-SSMID	8,572.40
200-DEBT SERVICE	43,888.64
300-CAPITAL IMPROVEMENT	2,190.00
350-CAPITAL IMP RESERVE	88,551.15
500-PERPETUAL CARE	700.00
501-RIVERSIDE TRUST	26.32
502-COLUMBARIUM VAULT	6.27
503-NORTHLAWN PERP CARE	92.77
504-GRIFFIN TRUST	78.98
505-LEACH TRUST	25.07
615-WTP RESERVE	2,208.15
620-SANITARY SEWER	183,082.64
625-SANITARY SEWER RESERV	4,181.48
630-CSI RESERVE	73,989.59
635-SEWER DEBT SINKING FU	28,381.32
660-AIRPORT ENTERPRISE	6,409.92
661-AIRPORT RESERVE	705.82
670-SOLID WASTE	215,838.86
671-SOLID WASTE RESERVE	1,892.22
672-TRANSFER STATION CLOS	21.31
673-LANDFILL	197,826.08
674-LANDFILL RESERVES	2,272.10
677-LANDFILL PLANNING	381.96
678-ENVIRONMENTAL PROTECT	265.78

679-LANDFILL POST CLOSURE	2,413.34
680-LANDFILL CLOSURE	1,315.95
682-ENVIRONMENTAL MANAGEM	1,652.22
685-CELL CONSTRUCTION RES	417.48
690-REGIONAL COLLECTION C	1,058.63
745-GOLF COURSE	54,186.09
746-GOLF COURSE RESERVE	300.00
949-CENTRAL GRAGE	2,068.01
950-FUEL EQUIPMENT	29,140.49
GRAND TOTAL REVENUES	2,231,790.17